

TTAB

Draughon[®]
TECHNOLOGY LAW
Professional Association

Attorneys at Law

*One Independent Drive - Suite 2000
Jacksonville, Florida 32202*

*Richard Scott Draughon
Cheryl Dawn Meide
Suzanne Margaret Thompson
Jeffrey Charles Maynard *
Michael Frederick Di Stephan*

** admitted in MD and DC*

*Telephone: (904) 358-3777
Facsimile: (904) 353-6927
www.draughonpa.com
www.mytechnologylawyer.com
cmeide@draughonpa.com*

CDM02-297
May 30, 2002
Via Express Mail
EL 736327922 US

Box: TTAB – NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513



Re: Opposition No. 151,429
[AMI.0220]

05-30-2002

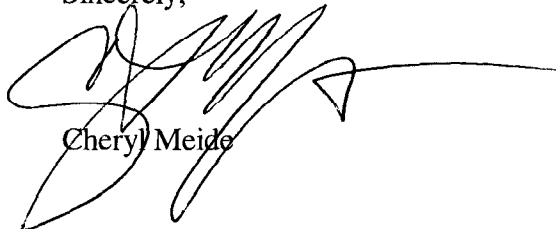
U.S. Patent & TMO/tm Mail Rpt Dt. #39

Honorable Commissioner:

Accompanying please find Applicant's Answer to the Notice of Opposition in the above-referenced matter. Please date stamp and return the enclosed postcard receipt.

Should you have any question, please do not hesitate to contact me.

Sincerely,


Cheryl Meide

TRADEMARK TRIAL AND
APPEAL BOARD
02 JUN -4 AM 8:23

CDM/jac
Enclosure

C: Gerard N. Saggese, III
White & Case, LLP



TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NATIONAL FOOTBALL LEAGUE
PROPERTIES, INC. and
JACKSONVILLE JAGUARS, LTD.
Opposers

v.

APPLIED MAPPING, INC.,
A Florida corporation,
Applicant

In the matter of
Application Serial No. 75/908,221
For the mark: JAGSONVILLE
Published for Opposition
On November 21, 2000

Opposition No.: 151,429

ANSWER TO NOTICE OF OPPOSITION



05-30-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #39

AMI.0220
May 30, 2002

ANSWER TO NOTICE OF OPPOSITION
OF APPLICATION NO. 75/908,221

Applicant Applied Mapping, Inc. ("Applicant"), by its attorney, hereby answers the allegations set forth in the Notice of Opposition of Application No. 75/908,221 ("Notice of Opposition") as follows:

- (1) Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition and, therefore, denies said allegations.
- (2) Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 2 of the Notice of Opposition and, therefore, denies said allegations.
- (3) Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 3 of the Notice of Opposition and, therefore, denies said allegations.
- (4) Applicant admits that Applicant's date of first use of the mark was March 5, 1999. Applicant also admits that the filing date of Applicant's application was January 28, 2000. Applicant has insufficient knowledge or information as to the truth of the remaining allegations set forth in Paragraph 4 of the Notice of Opposition and, therefore, denies said allegations. Applicant specifically denies that the alleged Jaguars Marks are famous.

- (5) Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 5 of the Notice of Opposition and, therefore, denies said allegations.
- (6) Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 6 of the Notice of Opposition and, therefore, denies said allegations.
- (7) Applicant admits that the on-line database of the United States Patent and Trademark Office indicates that the Jacksonville Jaguars, Ltd. or the National Football League owns the registrations listed in Paragraph 7 of the Notice of Opposition.
- (8) Applicant admits that the services listed in Application Serial No. 75/908,221 are for providing an online computerized, interactive database of real property information for a specified geographic area. Applicant also admits that its principal place of business is in Jacksonville, Florida. Applicant further admits that it provides its services in Jacksonville, Florida, among other places. Applicant further admits that its online computerized, interactive database provides information specific to Duval County, Florida as well as other counties in Florida. Applicant denies the remaining allegations set forth in Paragraph 8 of the Notice of Opposition.
- (9) Applicant denies the allegations set forth in Paragraph 9 of the Notice of Opposition.
- (10) Applicant denies the allegations set forth in Paragraph 10 of the Notice of Opposition.
- (11) Applicant denies the allegations set forth in Paragraph 11 of the Notice of Opposition.
- (12) Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition.

Applicant expressly denies any and all allegations in the Notice of Opposition not expressly admitted above.

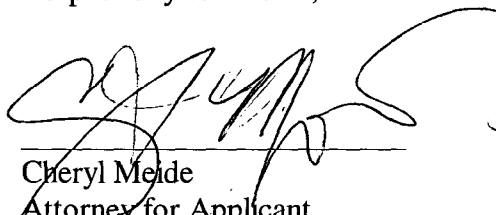
Ad Damnum Clause

Applicant denies Opposer is entitled to the relief it seeks.

AFFIRMATIVE DEFENSES

- (1) The relevant customers are sophisticated and not likely to be confused.
- (2) The channels of trade are sufficiently different so as to preclude a likelihood of confusion.
- (3) The services are sufficiently different so as to preclude a likelihood of confusion.
- (4) The marks are sufficiently dissimilar so as to preclude a likelihood of confusion. In all the marks listed in paragraph 7 of the Notice of Opposition, the term 'Jacksonville' has been disclaimed apart from the mark as shown, leaving only the term 'Jaguars' with or without a design element. There is no similarity in the remaining portion of the mark so as to preclude a likelihood of confusion.
- (5) The relevant advertising media are sufficiently different so as to preclude a likelihood of confusion.

Respectfully submitted,


Cheryl Meide
Attorney for Applicant
Florida Bar No. 0064173

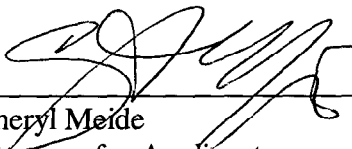
5/30/02
Date

Draughon Professional Association
One Independent Drive, Suite 2000
Jacksonville, Florida 32202
Phone: (904) 358-3777
Fax: (904) 353-6927

Opposition No.: 151,429
Answer to Notice of Opposition
May 30, 2002
Page 4 of 4

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Answer to Notice of Opposition of Application Serial No. 75/908,221 is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Gerard N. Saggese, III, Esq., White & Case, LLP, 1155 Avenue of the Americas, New York, New York 10036-2787, on this 30th day of May, 2002.


Cheryl Meide
Attorney for Applicant
Florida Bar No. 0064173

5/30/02
Date

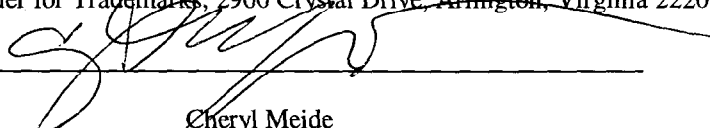
Draughon Professional Association
One Independent Drive, Suite 2000
Jacksonville, Florida 32202
Phone: (904) 358-3777
Fax: (904) 353-6927

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EL 736327922 US

Date of Deposit May 30, 2002

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box TTAB – No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

By: 

Print Name: Cheryl Meide